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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,319	04/09/2001	Robert Houben	41696/DBP/L379	8790

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CHRISTIE, PARKER & HALE, LLP
PO BOX 7068
PASADENA, CA 91109-7068

EXAMINER

NGUYEN BA, PAUL H

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,319

Applicant(s)

HOUBEN ET AL.

Examiner

Paul Nguyen-Ba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This action is responsive to Applicant's Amendment filed on 3/21/2005.
2. Claims 1-51 are currently pending. Claims 1, 7, 15, 18, 24, 32, 35, 41, 50 and 51 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11, 13-28, 30-45, 47, 48, 50, and 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Cascio et al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818.

With respect to **independent claims 1, 18, and 35, and 51**, Cascio teaches a computer-implemented method, system, and computer program product for processing a document (see Abstract), comprising:

providing, under control of the computer, at least one behavior document defining a plurality of actions (see Fig. 3 – item 320; see also [0023], [0025], [0052] → defines data extraction (processing) rules, compare with “behavior document”);

accepting an incoming document (see [0025] and [0047] → extracts data from a legacy data stream (i.e. P2P, Web page documents data, etc.));

reading, under the control of the computer, a personality document, the personality document including behavior document selection instructions for selecting a behavior document based on the incoming document (see Fig. 3 – items 340, 350; see also [0025] and [0052] → compare with matching rule);

selecting a behavior document using the personality document behavior document selection instructions and the incoming document ([0026] and [0052] → associates the rule components (i.e. “behavior documents”) to a particular template);

routing...incoming document to the selected behavior document (see Fig. 3 and para [0052] → moves a packet of data from source (i.e. incoming document) to destination (i.e. behavior document)); and

under control of the computer, applying the plurality of actions defined in the selected behavior document to the incoming document (see [0025], [0026]).

With respect to **claims 2, 13, 19, 30, 36, 46**, Cascio teaches extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → *personality, behavior, serving, incoming, working documents*).

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With respect to **claims 3, 4, 8, 9, 16, 17, 20, 21, 25, 26, 33, 34, 37, 38, 42, 43**, Cascio teaches translating the incoming document to a working document and translating the working document to an outgoing document and transmitting the outgoing document via a communication network (see [0040]-[0046]).

With respect to **claims 5, 6, 10, 11, 22, 23, 27, 28, 39, 40, 44, 45**, Cascio teaches *transforming the incoming document into an incoming software object and invoking a document processing software object* (see [0048] → object-oriented: self-contained entities that consist of both data and procedures to manipulate the data).

With respect to **independent claims 7, 24, and 41**, please refer to the rationale relied upon to reject independent claims 1, 18, and 35. Furthermore, Cascio teaches a *translation document and translation document selection instructions..., selecting a translation document..., translating the incoming working document using the selected translation document* (see [0077]).

With respect to **claims 14, 31, and 48**, Cascio teaches extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → personality, behavior, serving, *incoming, working* documents); and *the selected translation document is a XSLT document* (see [0077]).

With respect to **independent claims 15 and 32**, Cascio teaches the data processing system wherein the personality instructions include:

receiving an incoming document...(see [0025] and [0047] → extracts data from a legacy data stream (i.e. P2P, Web page documents data, etc.));

invoking a director, the director containing instructions...(see Fig. 3 – items 340, 350; see also [0025] and [0052] → *compare with matching rule*);

invoking a dispatcher...including applying the plurality of actions to the incoming document and effectuating the business process (see Fig. 3 – item 320; see also [0023], [0025], [0052] → defines data extraction (processing) rules).

With respect to **independent claim 50**, please refer to the rationale relied upon to reject independent claim 1. Furthermore Cascio teaches:

receiving a plurality of incoming documents formatted according to different formats (see paras [0008-]; and

transforming the incoming documents to a uniform format compatible with the identified process (see para [0047] → use of the markup language document to represent extracted data in a well-defined format serves as a conduit that provides great flexibility, enabling the document to be translated or otherwise transformed for use in multiple environments).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12, 29, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818, in view of Walsh et al. ("Walsh"), U.S. Patent No. 6,810,429.

With respect to **claims 12, 29, 46**, Cascio does not explicitly teach that the *actions further include invoking a document parser*. However, Walsh teaches an enterprise integration system coupled to a number of legacy data sources wherein the documents are parsed (see col. 14 lines 22-26) for the purpose of processing XML documents according to the rules.

Since Cascio and Walsh are both from the same field of endeavor, the purposes disclosed by Walsh would have been recognized in the pertinent art of Cascio. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Cascio with the teachings of Walsh to include actions further include invoking a document parser for the purpose of processing XML documents according to the rules.

7. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818, in view of Chau et al. ("Chau"), U.S. Patent Application Publication No. 2003/0014397.

With respect to **claim 49**, Cascio does not explicitly teach the method wherein the personality document recognizes an incoming document type based on an XPath standard. However, Chau teaches a method for enabling an XML collection from existing tables of legacy

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business data utilizing the Xpath standard of the XML language (see paras [0039], [0042], [0078]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Cascio with the teachings of Chau to include recognizing an incoming document type based on an XPath standard for the motivational purpose of addressing parts of an XML document and navigating through the hierarchical structure of an XML document.

Response to Arguments

8. Examiner has withdrawn rejection of claims 1-14 under 35 U.S.C. 101 in response to Applicant's amendments.

9. Applicant's arguments with respect to claims filed on 3/21/2005 have been considered but are moot in view of the new ground(s) of rejection.

Applicant first contends that Cascio fails to teach or suggest "*at least one behavior document defining a plurality of actions...; and ...applying the plurality of actions defined in the selected behavior document to the incoming document.*" Examiner respectfully disagrees.

During patent examination, the pending claims must be given their broadest reasonable interpretation without reading limitations of the specification into the claims. The term "action" is defined as 1) "the state or process of acting or doing," or 2) "organized activity to accomplish an objective." (*The American Heritage® Dictionary of the English Language, Fourth Edition Copyright © 2000 by Houghton Mifflin Company.*)

Cascio teaches a document that defines a plurality data extraction rules (*compare with* “behavior document) (see Fig. 3 – *item* 320; see also [0023], [0025], [0052]). The term “rule” is defined as “a standard method or procedure for solving a class of problems.” (*Id.*) Both “rules” and “actions” are essentially procedures or methods for accomplishing a particular goal and these terms are practically indistinguishable for examining interpretation purposes. Furthermore, these “actions” are “put into practical use” and are “pertinent or relevant” (*compare with* “applying the plurality of actions...””) to the incoming document. The incoming document is compared with and matched with one of the stored rules in the Cascio system (see Abstract and para [0025]). Therefore, Cascio does teach *at least one behavior document defining a plurality of actions...; and ...applying the plurality of actions defined in the selected behavior document to the incoming document.*”

Applicant further contends that Cascio fails to teach or suggest the recited “director” and “dispatcher” wherein a “director containing instructions...including selecting a business process for the incoming document, the business process including a plurality of actions” and a dispatcher containing instructions...including applying the plurality of actions to the incoming document and effectuating the business process.” Examiner respectfully disagrees.

Cascio teaches *invoking a director, the director containing instructions...*(see Fig. 3 – *items* 340, 350; see also [0025] and [0052] → *compare with* matching rule) and *invoking a dispatcher...including applying the plurality of actions to the incoming document and effectuating the business process* (see Fig. 3 – *item* 320; see also [0023], [0025], [0052] → defines data extraction processing rules). In regards to the added amendment limitation of

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“business process,” Cascio’s system sets out to and teaches solving the difficulty of integrating legacy mainframe applications and data with modern computer environments such as WWW-enabled environments for business-to-business and business-to-consumer use (see para [0004]).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

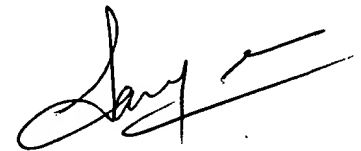
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 10 am - 6:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB



SANJIV SHAH
PRIMARY EXAMINER